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EXAMINER

LEE, CHRISTOPHER E

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/056,173	SESHADRI, KRISHNA	
	<b>Examiner</b>	<b>Art Unit</b>	
	Christopher E. Lee	2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

nd

**DETAILED ACTION*****Receipt Acknowledgement***

1. Receipt is acknowledged of the After Final Amendment filed on 24<sup>th</sup> of February 2005. Claims 1, 15, 16, 18, 26, 29 and 31 have been amended; no claim has been canceled; and no claim has been newly  
5 added since the Final Office Action was mailed on 24<sup>th</sup> of November 2004.

2. Receipt is acknowledged of the request filed on 22<sup>nd</sup> of March 2005 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on the Application No. 10/056,173, which the request is acceptable and an RCE has been established. Currently, claims 1-31 are pending in this application.

***Claim Rejections - 35 USC § 102***

10 3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Athing et al. [US 5,987,498 A; hereinafter Athing].

*Referring to claim 1*, Athing discloses a communications system (i.e., credit card operated  
15 computer on-line service communication system; See title and col. 1, lines 6-8) providing user configuration (See col. 3, lines 13-15), comprising:

- at least one communications device (i.e., terminals at remote sites 34 in Figs. 1 and 2) configurable for a plurality of users (See col. 3, lines 13-30);
- a configuration request message (i.e., a message for user log-on session 202 in Fig. 6) generated  
20 by said communications device to initiate a configuration of said communications device (i.e., terminal at remote site is initiated the configuration with a specific user configuration by the user log-on procedure; See col. 7, lines 5-59); and
- a configuration response message (i.e., a retrieved user configuration 212 in Fig. 6) received by said communications device (i.e., terminal) to enable configuration of said communications

device (See col. 3, lines 13-30), wherein said configuration response message (i.e., retrieved user configuration 212 in Fig. 6) includes

- configuration information (i.e., configuration data) associated with a combination of
  - at least one of said plurality of users (i.e., logged-in user; See col. 7, lines 5-25),
  - and
  - at least one of a plurality of configurations of said device (i.e., remote terminal) for said user (i.e., screen formats and screen colors, which were selected/stored by said logged-in user; See col. 7, lines 35-37 and 40-48).

10      *Referring to claim 2, Athing teaches*

- a remote computer (i.e., control center 38 of Fig. 2) for generating said configuration response message (i.e., retrieving user configuration, which is stored in at the central control site inherently anticipates that a remote computer (control center) generates said configuration response message (user configuration data); See col. 3, lines 13-15).

15      *Referring to claim 3, Athing teaches*

- a plurality of configuration files (i.e., data files in configuration data server 68 in Fig. 3) associated with said plurality of users (See col. 5, lines 54-57).

20      *Referring to claim 4, Athing teaches said configuration files (i.e., configuration data file) include*

- at least one of authorization (See col. 3, lines 15-18),
- application (i.e., on-line network service; See col. 7, lines 25-39) and
- settings information associated with at least one user (e.g., display setting; See col. 3, lines 28-30).

*Referring to claim 5, Athing teaches*

- a user identification service (i.e., steps 202, 204 and 206 in Fig. 6) for processing login information (viz., log-on information) associated with at least one user (See col. 7, lines 9-24 and col. 10, lines 21-34).

*Referring to claim 6, Athing teaches said login information (i.e., log-on information) includes*

- at least one of a user name (i.e., Account name in Fig. 10) and
- a password (i.e., Password in Fig. 10).

*Referring to claim 7, Athing teaches*

- a message service (i.e., steps 202, 204 and 206 in Fig. 6) for transmitting login information (viz., log-on information) associated with at least one user (See col. 7, lines 5-34).

*Referring to claim 8, Athing teaches*

- a configuration service (i.e., step 212 in Fig. 6) for processing (i.e., retrieval processing) said configuration response message (i.e., retrieved user configuration 212 in Fig. 6; See col. 7, lines 44-45) and updating (viz., setting up) said communications device (i.e., terminal at remote site 34 in Figs. 1 and 2) with said configuration information (See col. 7, lines 25-39).

*Referring to claim 9, Athing teaches*

- a logout service (i.e., log-off process) for sending updated user configuration information (i.e., saving any changed user configuration data received; See col. 13, lines 5-18).

*Referring to claim 10, Athing teaches*

- a user request service (i.e., steps 202, 204 and 206 in Fig. 6) for processing a login request (viz., starting user log-on session) associated with at least one user (See col. 7, lines 5-34).

5      *Referring to claim 11, Athing teaches*

- an authentication service (i.e., step 206 in Fig. 6) for verifying configurations that a user can access (See col. 14, lines 58-67).

*Referring to claim 12, Athing teaches*

- 10      • a record locate service (i.e., step 210 in Fig. 6) for searching for configurations associated with a user (i.e., collecting information associated with user; See col. 7, lines 30-37).

*Referring to claim 13, Athing teaches*

- 15      • a configuration message service (i.e., configuration retrieval processing step 212 in Fig. 6) for sending configuration information in said configuration response message (See col. 7, lines 40-48; i.e., wherein in fact that the user configuration data is retrieved from the central control site inherently anticipates a configuration message service for sending configuration information in said configuration response message).

20      *Referring to claim 14, Athing teaches*

- an update service (i.e., step 220 in Fig. 6) for updating configuration information (i.e., saving changed configuration data) that has changed by said user (See col. 7, lines 45-59).

*Referring to claim 15, Athing teaches*

- said configuration response message (i.e., said retrieved user configuration 212 in Fig. 6) enables said communications device (i.e., terminal at remote site 34 in Figs. 1 and 2) to be updated (viz., being set up) with at least one application (i.e., user log-on session for e-mail message scraping; See col. 7, lines 42-44 and col. 8, lines 22-27) and associated setting (i.e., associated with user's configuration data, e.g., screen formats, screen colors, etc.; See col. 7, lines 25-39).

*Referring to claim 16, Athing teaches*

- said configuration response message (i.e., said retrieved user configuration 212 in Fig. 6) enables said communications device (i.e., terminal at remote site 34 in Figs. 1 and 2) to be updated (viz., being set up) with a plurality of applications (i.e., user log-on session for WWW multi-media displaying, e-mail retrieving, and account billing verification; See col. 5, lines 42-57) and associated settings (i.e., associated with user's configuration data, e.g., screen formats, screen colors, etc.; See col. 7, lines 25-39).

### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Athing [US 5,987,498 A] as applied to claims 1-16 above, and further in view of Aho et al. [US 6,198,941 B1; hereinafter Aho].

*Referring to claim 17, Athing discloses all the limitations of the claim 17, except that does not expressly teach said communications device comprises at least one of a Personal Digital Assistant (PDA), palm pilot, cell phone, pager, and laptop computer.*

Aho discloses a method of operating a portable communication device (See col. 1, lines 5-14), wherein said portable communication device (i.e., communications device) comprises

- a Personal Digital Assistant (PDA), palm pilot, cell phone, and laptop computer (See col. 3, line 64 through col. 4, line 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used said portable communication device with said method of operation, as disclosed by

5 Aho, for said communications device in said system, as disclosed by Athing, for the advantage of providing a capability of changing communication arrangement among two or more different communication arrangements by way of the operation of said portable communication device being altered, typically adjusting parameters in the application or transport layer protocol, if the change is determined to be both imminent and significant (See Aho, col. 2, lines 31-43).

10

7. Claims 18-31 rejected under 35 U.S.C. 103(a) as being unpatentable over Athing [US 5,987,498 A] in view of Martin, Jr. et al. [US 6,509,913 B2; hereinafter Martin].

*Referring to claim 18*, Athing discloses a method (See Figs. 6 and 7) providing a configurable communications device (i.e., terminal at remote site 34 in Figs. 1 and 2; See col. 3, lines 13-15),

15 comprising:

- generating a configuration request message (i.e., initiating a configuration with a specific user configuration message for user log-on session 202 in Fig. 6; See col. 7, lines 5-59);
- generating a configuration response message (i.e., a retrieved user configuration 212 in Fig. 6) including

20

- configuration information (i.e., configuration data) associated with a combination of
  - at least one of a plurality of users for a communications device (i.e., logged-in user of said terminal at remote site; See col. 7, lines 5-25), and
  - at least one of a plurality of configurations of said device (i.e., remote terminal) for said user (i.e., screen formats and screen colors, which were selected/stored



by said logged-in user) based upon said configuration request message (i.e., based on said retrieved user configuration; See col. 7, lines 35-37 and 40-48); and

- configuring said communications device (i.e., terminal at the remote site) with said configuration information in said configuration response message (See col. 3, lines 13-30).

Athing does not teach said configuration response message includes configuration information being associated with at least one communications device.

Martin discloses a configurable man-machine interface (See Abstract and Fig. 4), wherein a configuration response message (i.e., Configuration data 350 in Fig. 3) includes

- configuration information (i.e., screen configuration information; See col. 5, lines 9-25) being associated with a combination of at least one of communications device (i.e., form of screen display for mobile device 350 in Fig. 3B; See col. 5, lines 26-41) and at least one of a plurality of users for said communications device (See col. 5, lines 12-15; i.e., wherein in fact that the user interface controller stores the screen configuration information in the account information storage area such that it can be associated with individual or groups of subscribers implies that said configuration information is associated with at least one of a plurality of users for said communication device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined said configuration information being associated with at least one of

communications device (e.g., remote wireless computing device 216 of Fig. 2A), as disclosed by Martin, with said configuration information being associated with at least one of a plurality of users, as disclosed by Athing, for the advantage of providing that a user interface for said communication device (i.e., remote wireless computing device) is able to be modified, configured or designed after said communication

device is manufactured, and further, a complete screen control is available (See Martin, col. 11, lines 22-30).

*Referring to claim 19, Athing teaches*

- 5       • sending an update message (i.e., sending a changed configuration data) from said communications device (i.e., terminal at remote site 34 in Figs. 1 and 2) to indicate user changes in said configuration information (See step 210 in Fig. 6; See col. 7, lines 45-52 and col. 7, line 66 through col. 8, line 7).

10       *Referring to claim 20, Athing teaches*

- updating records associated with said user changes in said configuration information (i.e., saving any changed user configuration data received; See col. 13, lines 5-18).

*Referring to claim 21, Athing teaches*

- 15       • transmitting login information (viz., log-on information) associated with a user (i.e., steps 202, 204 and 206 in Fig. 6; See col. 7, lines 9-24 and col. 10, lines 21-34).

*Referring to claim 22, Athing teaches said login information (i.e., log-on information) includes*

- at least one of a user name (i.e., Account name in Fig. 10) and
- 20       • a password (i.e., Password in Fig. 10).

*Referring to claim 23, Athing teaches*

- authenticating said login information (i.e., step 206 in Fig. 6; See col. 14, lines 58-67).

*Referring to claim 24, Athing teaches*

- generating an error message if said authentication fails (i.e., step 206 in Fig. 6; See col. 7, lines 19-23).

5      *Referring to claim 25, Athing teaches*

- generating a logout message (i.e., log-off process) to transmit updated user configuration information (i.e., saving any changed user configuration data received; See col. 13, lines 5-18).

10      *Referring to claim 26, Athing discloses a system (i.e., credit card operated computer on-line service communication system; See title and col. 1, lines 6-8) providing a configurable communication device (i.e., terminal at remote site 34 in Figs. 1 and 2; See col. 3, lines 13-15), comprising:*

- means for generating a configuration request message (i.e., means for initiating a configuration with a specific user configuration message for user log-on session 202 in Fig. 6; See col. 7, lines 5-59);
- 15      • means for generating configuration information (i.e., configuration data within a retrieved user configuration 212 in Fig. 6) associated with a combination of
  - at least one of a plurality of users (i.e., logged-in user; See col. 7, lines 5-25), and
  - at least one of a plurality of configurations of said device (i.e., remote terminal) for said user (i.e., screen formats and screen colors, which were selected/stored by said logged-in
  - 20      user) for said communications device (i.e., terminals at remote sites 34 in Figs. 1 and 2) based upon said configuration request message (i.e., based on said retrieved user configuration; See col. 7, lines 35-37 and 40-48); and
- means for configuring said communications device (i.e., terminal at the remote site) with said configuration information in said configuration response message (See col. 3, lines 13-30).

Athing does not teach said configuration response message includes configuration information being associated with at least one communications device.

Martin discloses a configurable man-machine interface (See Abstract and Fig. 4), wherein a configuration response message (i.e., Configuration data 350 in Fig. 3) includes

- 5       • configuration information (i.e., screen configuration information; See col. 5, lines 9-25) being associated with a combination of at least one of communications device (i.e., form of screen display for mobile device 350 in Fig. 3B; See col. 5, lines 26-41) and at least one of a plurality of users for said communications device (See col. 5, lines 12-15; i.e., wherein in fact that the user interface controller stores the screen configuration information in the account information storage  
10       area such that it can be associated with individual or groups of subscribers implies that said configuration information is associated with at least one of a plurality of users for said communication device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined said configuration information being associated with at least one of  
15       communications device (e.g., remote wireless computing device 216 of Fig. 2A), as disclosed by Martin, with said configuration information being associated with at least one of a plurality of users, as disclosed by Athing, for the advantage of providing that a user interface for said communication device (i.e., remote wireless computing device) is able to be modified, configured or designed after said communication device is manufactured, and further, a complete screen control is available (See Martin, col. 11, lines 22-  
20       30).

*Referring to claim 27, Athing teaches*

- means for sending an update message (i.e., means for sending a changed configuration data) from said communications device (i.e., terminal at remote site 34 in Figs. 1 and 2) to indicate user

changes in said configuration information (See step 210 in Fig. 6; See col. 7, lines 45-52 and col. 7, line 66 through col. 8, line 7).

*Referring to claim 28, Athing teaches*

- 5       • means for updating records associated with said user changes in said configuration information (i.e., means for saving any changed user configuration data received; See col. 13, lines 5-18).

*Referring to claim 29, Athing discloses a communications system (i.e., credit card operated computer on-line service communication system; See title and col. 1, lines 6-8) providing user*

10      configuration (See col. 3, lines 13-15), comprising:

- at least one remote computer (i.e., control center 38 of Fig. 2) for storing configurations associated with a plurality of users (See col. 3, lines 13-18);
- a configuration request message (i.e., a message for user log-on session 202 in Fig. 6) processed by said remote computer (i.e., control center) to determine configurations associated with said plurality of users (See col. 7, lines 5-59); and
- 15      • a configuration response message (i.e., a retrieved user configuration 212 in Fig. 6) generated by said remote computer, wherein said configuration response message (i.e., said retrieved user configuration) includes
  - configuration information (i.e., configuration data within a retrieved user configuration
  - 20           212 in Fig. 6) associated with
    - at least one of a plurality of users (i.e., logged-in user; See col. 7, lines 5-25), and
    - at least one of a plurality of configurations of said device (i.e., remote terminal) for said user (i.e., screen formats and screen colors, which were selected/stored by said logged-in user; See col. 7, lines 35-37 and 40-48).

Athing does not teach said configuration response message includes configuration information being associated with at least one communications devices.

Martin discloses a configurable man-machine interface (See Abstract and Fig. 4), wherein a configuration response message (i.e., Configuration data 350 in Fig. 3) includes

- configuration information (i.e., screen configuration information; See col. 5, lines 9-25) being associated with a combination of at least one of communications device (i.e., form of screen display for mobile device 350 in Fig. 3B; See col. 5, lines 26-41) and at least one of a plurality of users (See col. 5, lines 12-15; i.e., wherein in fact that the user interface controller stores the screen configuration information in the account information storage area such that it can be associated with individual or groups of subscribers implies that said configuration information is associated with at least one of a plurality of users).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined said configuration information being associated with at least one of communications device (e.g., remote wireless computing device 216 of Fig. 2A), as disclosed by Martin, with said configuration information being associated with at least one of a plurality of users, as disclosed by Athing, for the advantage of providing that a user interface for said communication device (i.e., remote wireless computing device) is able to be modified, configured or designed after said communication device is manufactured, and further, a complete screen control is available (See Martin, col. 11, lines 22-30).

*Referring to claim 30*, Athing teaches a communications device (i.e., terminal at remote site 34 in Figs. 1 and 2) for

- receiving (i.e., retrieving) said configuration response message (i.e., a retrieved user configuration 212 in Fig. 6; See col. 7, lines 44-45) and

- utilizing said configuration information to configure (viz., setting up) said communications device according (i.e., terminal) to at least one of said plurality of users (See col. 7, lines 25-39).

*Referring to claim 31*, Athing discloses a communications system (i.e., credit card operated

5 computer on-line service communication system; See title and col. 1, lines 6-8) providing user configuration (See col. 3, lines 13-15), comprising:

- at least one communications device (i.e., terminals at remote sites 34 in Figs. 1 and 2) configurable for a plurality of users (See col. 3, lines 13-30);
- at least one remote computer (i.e., control center 38 of Fig. 2) for storing configuration  
10 information (i.e., configuration data) associated with a combination of
  - said plurality of users (i.e., logged-in users; See col. 7, lines 5-25), and
  - a plurality of configurations of each device (i.e., remote terminal) for each user (i.e., screen formats and screen colors, which were selected/stored by each of said logged-in users; See col. 7, lines 35-37 and 40-48);
- a configuration request message (i.e., a message for user log-on session 202 in Fig. 6) generated  
15 by said communications device to initiate a configuration of said communications device (i.e., terminal at remote site is initiated the configuration with a specific user configuration by the user log-on procedure; See col. 7, lines 5-59); and
- a configuration response message (i.e., a retrieved user configuration 212 in Fig. 6) generated by  
20 said remote computer (i.e., control center) to enable configuration of said communications device (See col. 3, lines 13-30), wherein said configuration response message (i.e., said retrieved user configuration) includes
  - configuration information (i.e., configuration data within a retrieved user configuration 212 in Fig. 6) associated with

- at least one of a plurality of users (i.e., logged-in user; See col. 7, lines 5-25), and
- at least one of a plurality of configurations of said device (i.e., remote terminal) for said user (i.e., screen formats and screen colors, which were selected/stored by said logged-in user; See col. 7, lines 35-37 and 40-48).

5       Athing does not teach said configuration response message includes configuration information being associated with one or more (viz., at least one) communications devices.

Martin discloses a configurable man-machine interface (See Abstract and Fig. 4), wherein a configuration response message (i.e., Configuration data 350 in Fig. 3) includes

- configuration information (i.e., screen configuration information; See col. 5, lines 9-25) being  
10       associated with a combination of one or more (viz., at least one) one of communications device (i.e., form of screen display for mobile device 350 in Fig. 3B; See col. 5, lines 26-41) and at least one of a plurality of users (See col. 5, lines 12-15; i.e., wherein in fact that the user interface controller stores the screen configuration information in the account information storage area such that it can be associated with individual or groups of subscribers implies that said  
15       configuration information is associated with at least one of a plurality of users).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined said configuration information being associated with at least one of communications device (e.g., remote wireless computing device 216 of Fig. 2A), as disclosed by Martin, with said configuration information being associated with at least one of a plurality of users, as disclosed  
20       by Athing, for the advantage of providing that a user interface for said communication device (i.e., remote wireless computing device) is able to be modified, configured or designed after said communication device is manufactured, and further, a complete screen control is available (See Martin, col. 11, lines 22-30).



***Response to Arguments***

8. Applicant's arguments filed on 24<sup>th</sup> of February 2005 (hereinafter the Response) have been fully considered but they are not persuasive.

5        *In response to the Applicant's argument with respect to "... More particularly, Applicant's*  
claimed invention transmits configuration information that is associated with user(s), and at least one of a  
plurality of available configurations for the device for the respective user. Thus, each user is able to have  
different configurations for a single device and for different devices. As conceded in the Office Action,  
Athing et al. does not teach or suggest device dependent configuration information. Although Martin Jr. et  
10 al. discloses device dependent configuration, it fails to teach or suggest that the response message  
contains information that allows a single user to have multiple configurations for a single device. ..." in  
the Response, page 7, line 9 through page 8, line 2, the Examiner respectfully disagrees.

In contrary to the Applicant's allegation, the prior Office Action had never conceded "Athing et al.  
does not teach or suggest device dependent configuration information." Instead, the prior Office Action  
15 stated "Athing does not teach said configuration response message includes configuration information  
being associated with at least one communications device" on page 3, lines 6-7 (e.g., exemplary claim 1),  
which did not admits the Applicant's allegation. In other words, the statement "configuration information  
being associated with at least one communications device" in the prior Office Action cannot be equally  
interpreted as the Applicant's statement "device dependent configuration information" because a  
20 configuration information being associated with a communications device could be device independent,  
e.g., an Ethernet connection configuration information being associated with a computer would be device  
independent TCP/IP configuration, which is well known in the art of digital communication.  
Furthermore, it is noted that the features upon which the Applicant relies (i.e., the response message  
contains information that allows a single user to have multiple configurations for a single device) are not

recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Thus, the Applicant's argument on this point is not persuasive.

5            *In response to the Applicant's argument with respect to* "Claim 16 recites. ... the configuration response message enables the communications device to be updated with a plurality of applications and associated settings. The configuration information can include multiple applications and settings associated with each application. Athing et al. does not disclose or suggest storing or transmitting configuration information associated with multiple applications. Rather, Athing et al. teaches storage and  
10    transmittal of configuration information that is based upon a single e-mail application." in the Response, page 8, lines 3-8, the Examiner respectfully disagrees.

          In contrary to the Applicant's statement, Athing discloses retrieved user configuration 212 in Fig. 6 (i.e., configuration response message) enables terminal at remote site 34 in Figs. 1 and 2 (i.e., communications device) to be set up (i.e., being updated) with a user log-on session for WWW multi-  
15    media displaying, e-mail retrieving, and account billing verification (i.e., a plurality of applications; See Athing, col. 5, lines 42-57) and associated with user's configuration data, e.g., screen formats, screen colors, etc. (i.e., associated settings; See Athing, col. 7, lines 25-39), and thus Athing clearly teaches all the limitations of the claim 16.

          Furthermore, it is noted that the features upon which the Applicant relies (i.e., the configuration  
20    information can include multiple applications and settings associated with each application) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Thus, the Applicant's argument on this point is not persuasive.

*In response to the Applicant's argument with respect to Rejection of Claim 17 Under 35 U.S.C.*

§103(a) in the Response page 8, lines 13-20, the Examiner respectfully disagrees.

In fact, the currently amended claim 1 is properly rejected under 35 U.S.C. §102(b) as being anticipated by Athing in the instant Office Action (See paragraph 4 of the instant Office Action), and the combination Athing and Aho with rationale for the proper combination suggests the obviousness of the claimed invention in the claim 17 (See paragraph 6 of the instant Office Action, claim 17 rejection under 35 U.S.C. §103(a) as being unpatentable over Athing in view of Aho).

Furthermore, the Applicant's argument fails to comply with 37 CFR 1.111(b) because it amounts to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references Athing and Aho.

Thus, the Applicant's argument on this point is not persuasive.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Lee whose telephone number is 571-272-3637. The examiner can normally be reached on 5:30am - 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2112

RCE Non-Final Office Action

Christopher E. Lee  
Examiner  
Art Unit 2112

CEL/ *CEL*

*Christopher E. Lee*